

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

In this response, claims 17, 19-21 and 29-35 are amended and claims 1, 4-12, 18 and 23-27 are canceled. Applicant appreciates that claim 9 is allowable if amended to incorporate all of the features and limitations of its base claim and any intervening claims. Because claim 9 depends from independent claim 17, applicant has amended independent claim 17 to incorporate all of the features and limitations of claim 9, including claim 9's intervening claims. Claims 19-21 and 29-35 are amended to correspond to amended claim 17.

Allowable Subject Matter

Claim 9 is objected to as being dependent upon a rejected base claim, but the Examiner states that this claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, applicant amends claim 17 to incorporate all of the features and limitations of claim 9 and intervening claims 18 and 23. Thus, claim 17 is now allowable; claim 9 is canceled.

Rejection of Claims 2, 3, 5, 14-20 Under 35 U.S.C. §102

Claims 2, 3, 5 and 14-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Deo et al., U.S. Patent No. 7,024,450 (hereinafter “Deo”). This rejection should be withdrawn based on the comments and remarks herein.

Independent claim 17 is amended to incorporate all of the features and limitations of claim 9 and intervening claims 18 and 23. Accordingly, claim 17 is allowable. Claims 5 and 18 are canceled. Claims 2, 3, 14-16, 19, and 20 depend from claim 17, each of these dependent

claims incorporating the novel and nonobvious features of the base claim. Accordingly, claims 2, 3, 14-16, and 19-20 are patentably distinguishable over the art or record in the application for at least the reason that independent claim 17 is patentably distinguishable over the art of record in the application. Thus, applicant requests that this rejection be withdrawn.

Rejection of Claim 17 Under 35 U.S.C. §102

Claim 17 is rejected under 35 U.S.C. §102(e) as being anticipated by Doi et al., U.S. Patent No. 6,970,919. This rejection should be withdrawn based on the comments and remarks herein.

As discussed above, independent claim 17 is amended to incorporate all of the features and limitations of claim 9 and intervening claims 18 and 23. Accordingly, claim 17 is allowable. Thus, applicant requests that this rejection be withdrawn.

Rejection of Claims Under 35 U.S.C. §103

Claims 13 and 21-35 are rejected under 35 U.S.C. §103(a) as unpatentable over Deo in view of admitted prior art. This rejection should be withdrawn based on the comments and remarks herein.

As discussed above, independent claim 17, as amended, is allowable. Claims 23-27 are canceled. Claims 13, 21, 22 and 28-35 depend from claim 17, each of these dependent claims incorporating the novel and nonobvious features of the base claim. Accordingly, claims 13, 21, 22 and 28-35 are patentably distinguishable over the art or record in the application for at least the reason that independent claim 17 is patentably distinguishable over the art of record in the application. Thus, applicant requests that this rejection be withdrawn.

CONCLUSION

For at least the reasons set forth in the foregoing discussion, Applicant believes that the application is now allowable and respectfully requests that the Examiner reconsider the rejections and allow the application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



Katherine R. Vieyra
Registration No. 47,155

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza – Suite 300
Garden City, New York 11530
(516) 742-4343 (telephone)
(516) 742-4366 (facsimile)
KRV:vh